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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/738,319

12/17/2003

Patrick M. Bailey

LENX-0002

7917

27964

7590

05/09/2007

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EXAMINER

NATALINI, JEFF WILLIAM

ART UNIT

PAPER NUMBER

2858

NOTIFICATION DATE

DELIVERY MODE

05/09/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket@hittgaines.com

## Office Action Summary

**Application No.**

10/738,319

**Applicant(s)**

BAILEY ET AL.

**Examiner**

Jeff Natalini

**Art Unit**

2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-26 is/are pending in the application.
- 4a) Of the above claim(s) 8-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/26/07 has been entered.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Kanamori (6124716).

In regard to claim 1, Kanamori discloses a centralized connector module (figure 1 elements 34, 38, and 26 make up the connector module) comprising: a dielectric body (the wires have an insulator covering as will the test circuitry; so as to protect people from being electrocuted, see also line 3 line 36-37) having interconnected terminal sets (figure 1 elements 36) corresponding to components connectable thereacross (figure 1 elements 24 are connected in the junction box which the module-elements 34, 38, and 26-connect to) and configured to provide terminating points (the point pins-elements 36-

Art Unit: 2858

connect with the electrical junction box- element 10) for said components for continuous operation thereof (the module-figure 1 elements 34, 38, and 26-connect to the electrical junction block; col 2 line 1-18), said centralized connector module incapable of controlling said components (no mention in Kanamori of controlling the components through cited connector module);

and continuity indicator circuits integrated within said body (continuity tester and harness are one module; col 2 line 7-11) and associated with some of said terminals sets and configured to indicated continuity faults with respect to connected components (col 4 line 11-18).

In regard to claim 7, Kanamori discloses wherein the terminal sets remain functional upon a failure of any of said continuity indicator circuits (figure 1, element 36, remain electrically connected and functional as they still pass the electrical signal through .. even if the continuity testers fail).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 4, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanamori (6124716) in view of Cheek et al. (3728616).

In regard to claims 2, 4, and 6, Kanamori lacks specifically stating that some of the terminal sets are connected in series and wherein the continuity circuits have impedances based on illuminating light emitting diodes, wherein voltage indicator circuits are associated with the output terminals sets to indicate an operation of corresponding ones of said components.

Cheek et al. discloses wherein the terminal sets are connected in series (fig 1 (R11 in series with R21 which is in series with R22, etc. ) and wherein the continuity circuits have impedances based on illuminating light emitting diodes (col 3 line 35-41 and line 61- col 4 line 7), wherein voltage indicator circuits are associated with the output terminals sets to indicate an operation of corresponding ones of said components (abstract).

It would have been obvious to one with ordinary skill in the art at the time the invention was made for Kanamori to include terminal sets connected in series where a light is illuminated in association with the detection, wherein voltage indicator circuits are associated with output terminals of the components as taught by Cheek et al. in order to test for wiring errors in a plurality of pairs of terminals (abstract) so that it can be determined which particular connections are defective or fine (col 3 line 61 – col 4 line 7).

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kanamori (6124716) in view of Collier et al. (6323652).

Kanamori discloses a power supply (junction box (10)- col 3 line 9-16)).

Kanamori lacks specifically wherein an AC Power In terminal set is associated with a voltage indicator circuit and configured to indicate a presence of a voltage thereacross.

Collier et al. discloses wherein an AC Power In terminal set (provided by an outlet) associated with a voltage indicator circuit and configured to indicate a presence of a voltage thereacross (col 8 line 1-3).

It would have been obvious to one with ordinary skill in the art at the time the invention was made for Kanamori to have an AC power in terminal set associated with a voltage indicator circuit as taught by Collier et al. in order to indicate that the level of the power supply is adequate (col 8 line 2-3).

### ***Response to Arguments***

6. Applicant's arguments filed 2/26/07 with respect to claims 1, 2, and 4-7 have been considered but are moot in view of the new ground(s) of rejection. The examiner has applied Kanamori (6124716), which was previously applied in the office action of 6/29/06. A different interpretation of the reference is presented in the rejection from the interpretation that was presented in the action of 6/29/06. The examiner has gone through the arguments filed 9/21/06 based on the action of 6/29/06. Because this is a different interpretation of the reference all the arguments are not pertinent, but the examiner will respond to the pertinent arguments. The first argument on page 9 is about what part of Kanamori corresponds to the module as claimed. Stating the junction block/test unit/connects cannot be considered one module. In the present

rejection the module consists of figure 1 elements 34, 38, and 26; which is the module for testing the continuity. The continuity test module includes the continuity test unit 26 and the applied cables-34 and 38 (col 2 line 7-11). This does not include the junction block- 10- or electrical harness- 18/22- as in the previous rejection.

On page 10, the applicant argues that terminal pins 36 do not provide a termination for the electrical devices 24. The wiring harness 18 is connected to the junction block 10 at the same node the terminal pins 36 of the testing module are connected and thus provide terminal points/node where electrical devices are terminated.

Also on page 10, applicant argues that the body of test unit conductor 20 does not include continuity circuits integrated within the unit 20. While the examiner agrees with this statement, elements 34, 38, and 26 are all part of the dielectric body that are integrated together to form the module, and they are all integrated in the dielectric body as the claim states. Module as defined by The American Heritage Dictionary is a "self contained assembly of electronic components installed as a unit". The components in Kanamori elements 20, 38, and 26, are a unit/module that measure continuity. Therefore, elements 20 and 26 are integrated within the module.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Liotta (5285163) discloses an electrical cable continuity and voltage tester that is used in electrical equipment such as that used in entertainment,

Art Unit: 2858

studio, or stage lighting. Kashiama (5689191) discloses a terminal in connector checking device which discloses a continuity checking member for terminals in the connector, wherein the connector is moved into the continuity checking member. Parker et al. (6960917) discloses a method and apparatus for diagnosing defect locations in electrical paths of connectors of circuit assemblies.

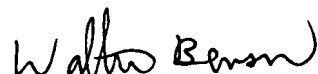
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Natalini whose telephone number is 571-272-2266. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 571-272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeff Natalini



  
WALTER BENSON, PHD, P.E.  
PRIMARY EXAMINER